COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

SUPERIOR COURT
NOS. 89-5634 through
89-5638

COMMONWEALTH

v.

ROGER NORTON

AFFIDAVIT OF NOEL RODRIGUEZ
IN SUPPORT OF DEFENDANT'S MOTION FOR A NEW TRIAL

I, Noel Rodriguez, do hereby swear and attest that the following facts are true to the best of my knowledge and belief:

1. I make this affidavit in support of Roger Norton's Motion for a New Trial.

2. I reside with my mother and sister at 51 Orchard Street, Springfield, Massachusetts.

3. I am Hector Fuentes' cousin.

4. I have read that portion of Hector Fuentes' testimony at Roger Norton's trial as it relates to me. I specifically identify Hector's testimony, as it appears in the trial transcript, vol. II, dated August 17, 1989, page 20, lines 13 - 20, as being false. I was never in Roger's camper crying nor did Hector ever come into Roger's camper to get me.

5. I was contacted by the Massachusetts State Police in August 1989 and questioning by the State Police led to a criminal complaint being filed against Roger Norton for Indecent Assault & Battery on me. I made up the story against Roger because my cousin Hector told me to. Hector told me that he had made up a story about Roger and Hector told me that I had to say that Roger had done the same things to me. I was

not indecently assaulted by Roger Norton. I made up the story at Hector's insistence.

6. I am willing to testify to the above matter in court under oath.

Signed and sworn to under the pains and penalties of perjury this 30th day of July, 1997 at Springfield, Massachusetts and in the presence of my mother, Maria Sonia Rodriguez.

MARIA SONIA RODRIGUEZ
SS# 030-56-7687

NOEL RODRIGUEZ
SS# 032-62-9271

Subscribed and sworn to this 30th day of July, 1997, before me.

NOTARY PUBLIC

My commission expires: 8-26-99.

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

SUPERIOR COURT
NOS. 89-5634 through
89-5638

COMMONWEALTH

v.

ROGER NORTON

AFFIDAVIT OF MARIA SONIA RODRIGUEZ
IN SUPPORT OF DEFENDANT'S MOTION FOR A NEW TRIAL

I, Maria Sonia Rodriguez, do hereby swear and attest that the following facts are true to the best of my knowledge and belief:

1. I make this affidavit in support of Roger Norton's Motion for a New Trial.

2. I am the mother of Noel Rodriguez who was a complainant against Roger in August, 1989. I reside with my son Noel and my daughter at 51 Orchard Street, Springfield, Massachusetts.

3. My brother, Alfredo Fuentes, is Hector Fuentes' father.

4. My sister in law, Sandra Fuentes, gave birth to her son James at Bay State Hospital on June 7, 1989. Sandra had the baby by cesarean section. Sandra was in the hospital for three days and while Sandra was in the hospital, Hector was cared for by his father, Alfredo Fuentes.

5. Maria Colon is my sister. Hector Fuentes did not stay at the Colon's house when Sandra was in the hospital giving birth to her son James.

6. Hector did not stay with me while his mother was in the hospital giving birth to her son James. While Sandra was in the hospital, Hector was cared for by his father, Alfredo Fuentes. Alfredo and Sandra also have an older daughter Marisely Fuentes and Alfredo cared for both Hector and Marisely while his wife was in the hospital.

7. During Hector's childhood, he was a hyperactive child and needed to be medicated to control his hypertension. I also know that Hector was a habitual liar and often times Hector stole money from his parents.

8. Because of Hector's character traits of lying and stealing, my brother in law and sister Rubin and Maria Colon never allowed Hector to stay at their house without one of his parents being present.

9. During the spring and summer of 1989, my sister Maria Colon and my brother Alfredo Fuentes each maintained a trailer at the Sunledge Campgrounds in Granville, Massachusetts. On weekends, I visited my sister Maria at the Sunledge Campgrounds and stayed in her trailer from Friday night to Sunday. While at the Sunledge Campgrounds, my son Noel and Hector Fuentes were always playing together.

10. After my sister in law gave birth to her son James, she returned to her home in Springfield after leaving the hospital. Sandra later brought her son James to the Sunledge Campgrounds but only stayed a short while because of the bad weather. When Sandra left the campgrounds, Hector also left with her and returned to their home in Springfield.

11. My son, Noel was contacted by the Massachusetts State Police in August, 1989 and questioning by the State Police led to a criminal complaint being filed against Roger for Indecent Assault & Battery on Noel Rodriguez. Noel later told me that Roger Norton had not touched him or assaulted him and Noel told me he made up the story against Roger because his cousin Hector Fuentes told him to do it. Noel told me that Hector made up the story about Roger and Hector told Noel that he had to say that Roger had done the same things to him. Noel has told me that he was not indecently assaulted by Roger Norton and Noel made up the story at Hector's insistence.

11. I was present with my son Noel during the trial of Roger Norton during the summer of 1992. At this time, I told the Assistant District Attorney Susan Loehn that my son Noel had told me that the statement he made to the State Police was not true and that he made up the

accusations because Hector told him to do so. I was also present at the courthouse while Susan Loehn and a First Name Unknown Rivera were preparing Noel and Hector for their testimony at trial. Assistant District Attorney Susan Loehn read the statements previously obtained by the State Police to Noel and Hector and Assistant District Attorney Loehn told both boys they had to tell the Judge and Jury exactly what was written down by the state police when their statements were recorded. I observed both Loehn and Rivera repeatedly tell Noel and Hector exactly what they had to testify to, even after my son Noel told them that none of it was true, that Hector had made it all up.

12. I was not able to testify at trial concerning these specific dates because the dates of the alleged offenses were not known by me when I testified. I told Assistant District Attorney Susan Loehn that my son Noel had made up the story about Roger but I did not tell Roger's attorney this information at the time of trial.

8. I am willing to testify to the above matter in court under oath.

Signed and sworn to under the pains and penalties of perjury this 3rd day of ~~June~~ July, 1997 at Springfield, Massachusetts.

Maria Sonia Rodriguez
MARIA SONIA RODRIGUEZ
030-56-4689

Subscribed and sworn to, this 3rd day of ~~June~~ July, 1997, before me.

M.S.R.

NOTARY PUBLIC

My commission expires: 8-26-99.